

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: §
§
**VANDERHALL EXOTICS OF §
HOUSTON L.L.C. § Case No. 17-34196
Debtor.** § (Chapter 7)
§
§

MOTION FOR ENTRY OF STIPULATION AND AGREED ORDER

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS MOTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To the Honorable David R. Jones,
Chief United States Bankruptcy Judge:

Randy W. Williams, Chapter 7 Trustee (the “Trustee”) for the above-referenced bankruptcy case, files this Motion for Entry of Stipulation and Agreed Order.

BACKGROUND

1. On July 5, 2017, the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.
2. On July 18, 2017, the Trustee was originally appointed as the chapter 11 trustee in this case. On July 24, 2017, upon the motion of the Trustee, the case was converted to chapter 7. Subsequently, the Trustee was duly appointed as the chapter 7 trustee in this case.

REQUEST FOR RELIEF

3. The Trustee has agreed to transfer title to a vehicle, from Debtor to IFC Motorsports LLC (“IFC Motorsports”), a bona fide buyer in the ordinary course of business who purchased and fully paid Debtor for the vehicle in October 2016, when Debtor held full title to the vehicle. Westlake Flooring Company, LLC d/b/a Westlake Flooring Services (“WFC”), a secured creditor of Debtor with respect to the vehicle, has reached an agreement with IFC Motorsports to permit IFC Motorsports to take title to the vehicle free and clear of WFC’s lien rights, as well as the rights of the bankruptcy estate and Park Place Auto Sales in exchange for payment of the amounts set forth in the Stipulation and Agreed Order.

4. The terms of the parties’ agreement to authorize the Trustee to transfer legal title of the vehicle to IFC Motorsports is set forth in the attached Stipulation and Agreed Order. The Trustee and IFC Motorsports request the Court to enter the Stipulation and Agreed Order. WFC and Park Place Auto Sales have joined in the Stipulation and Agreed Order and support the requested relief.

5. Randy W. Williams, chapter 7 Trustee requests that this Court enter the attached Stipulation and Agreed Order and grant such other and further relief as is just.

Dated: January 9, 2019.

Respectfully submitted,

Porter Hedges LLP

By: /s/ Joshua W. Wolfshohl

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Counsel for the Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served via ECF electronic notice on January 9, 2019 or as indicated below, by First Class U.S. Mail, postage prepaid to the parties listed below.

/s/ Joshua W. Wolfshohl
Joshua W. Wolfshohl

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HOUSTON, TX 77057

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